

Green Horse Creek Project

Finding of No Significant Impact

The responsible official has evaluated the effects of the project, relative to the definition of significance, as established by the Council of Environmental Quality (CEQ) Regulations (40 CFR 1508.13). The environmental assessment (EA) and documentation included in the project record has been reviewed and considered, and the Responsible Official has determined that the proposed action outlined in the Green Horse project EA will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. The rationale for this finding is as follows, organized by the sub-section of the CEQ definition of significance, cited above.

This finding of no significant impact and the corresponding environmental assessment (EA) conforms to the procedural regulations for the implementation of the National Environmental Policy Act (NEPA) at 40 CFR sections 1500 to 1508, published by the CEQ in 1978. The CEQ issued revised regulations for these procedural requirements, effective September 14, 2020. The revised regulations provide the responsible official the option of conducting an environmental analysis under the 1978 regulations if the process was initiated prior to September 14, 2020. Because this project was developed and scoped prior to September 14, 2020, the responsible official has elected to follow the 1978 procedural requirements for NEPA.

Context

For the Green Horse project proposed action, the context of the environmental effects is based on the environmental analysis in this EA.

This project is limited in scope and is designed to reduce adverse environmental effects. The decision made here applies only to the Green Horse project area that is approximately 10,500 acres. This project is located within the Glover Creek-Selway River, Horse Creek, O'Hara Creek, and Upper American River subwatersheds, which cover approximately 91,820 acres, in the Lower Selway River subbasin which includes approximately 657,000 acres, and the South Fork Clearwater River subbasin which includes approximately 754,260 acres, on the Moose Creek and Red River Ranger Districts of the Nez Perce-Clearwater National Forests, which in combination total approximately 4 million acres. The project area is limited in size and the proposed activities are limited in duration. Resources affected by the proposal are described in the EA, and supporting documentation located in the project record. Effects are local in nature and not likely to significantly affect regional or national resources. The project is consistent with the Nez Perce Forest Plan, as amended. Based on these factors, I believe the effects of this project will be localized and will not contribute to significant environmental effects within or beyond the project area. Given the area affected by the Green Horse project at the subwatersheds, subbasins, districts, and forest scales; I find the effects are not significant.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered, with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects, using the ten factors identified in 40 CFR 1508.27(b).

- 1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.**

Adverse and beneficial impacts have been assessed and were not found to be significant. The analysis considered not only the direct and indirect effects of the projects, but also their contribution to cumulative effects (EA pp. 13-68). Past, present, and foreseeable future actions have been included in the analysis. Adverse effects from the Green Horse project have been minimized or eliminated through mitigation measures (EA **Error! Reference source not found.**) and standard design features (document 11-004). For this project, there are no known, long-term, adverse effects or cumulative effects to resources such as wildlife, water quality, fisheries, plants, Idaho roadless areas, recreation, or heritage resources. Impacts from the proposed action are beneficial for safety of Forest Service employees and the public we serve, as well as for the maintenance of the Forest's infrastructure; system roads within the project area are a component of the Forest's infrastructure. The prevention of potential negative impacts associated with maintenance of our infrastructure is also a beneficial effect. As such, I find that the Green Horse project is not a significant federal action. Effects, if any depending on resource, are described in this EA (pp. 13-68) and supporting resource analysis incorporated by reference that are in the project record.

2. The degree to which the proposed action affects public health or safety.

My decision would have no significant or unacceptable effects on public health or safety because Occupational Safety and Health Administration (OSHA) safety regulations would be met during implementation and inspectors would monitor all aspects of implementation to ensure public safety. Timber purchasers are required to comply with all State and Federal fire requirements and regulations. The proposed activities (timber harvest, hauling, prescribed burning) have historically occurred along roads near and within the Green Horse project area without creating public safety or health problems. The risk to public health and safety during project implementation are low. Implementation will include advance notice of closures for timber harvest and planning prescribed burning (website, press releases, and postings), and signing at appropriate locations. The Green Horse project would reduce the potential for, and intensity of, subsequent wildfire and increase the chance for fire suppression strategy and tactics to be successful (EA pp. 20-21).

Public safety was identified one of the two primary drivers for the Green Horse Project. The proposed action meets the need to provide for safe travel and recreation in this area by mitigating hazards that result from the insect and disease affected trees, to the extent and degree practicable.

This project is consistent with the Clean Water Act and Forest Service responsibilities under the Clean Water Act by adhering to state water quality standards (EA p. 69). The objectives of the Idaho Anti-degradation policy are to maintain and protect existing instream water uses and the level of water quality necessary to protect those uses. Beneficial uses and water quality criteria and standards are identified in the Idaho Water Quality Standards and Wastewater Treatment Requirements (IDAPA 58.01.02, IDAPA 37.03.02) (document 11-004).

There are no municipal watersheds within or near the project area that would be affected by the Green Horse project. To ensure compliance with the Clean Air Act (document 11-004) fire managers coordinate with the North Idaho/Montana Airshed Group when prescribed burns are scheduled.

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There would be no significant effects on unique characteristics of the area, or they are not present. No significant effects are expected because of mitigation measures that are included as part of the proposed action, standard design features (document 11-004), and finally, the effects found in the EA (pp. 13-68) along with supporting information incorporated by reference that is located in the project record document no significant impacts.

Portions of the Green Horse project lie within the O'Hara-Falls Creek and West Meadow Creek Idaho Roadless Areas, which are managed under the Idaho Roadless Rule (36 CFR 294 Subpart C). The

analysis in the EA (pp. 63-68) and the analysis of roadless characteristics (document 32-011) document the project's consistency with the Idaho Roadless Rule and analyzes effects of the proposed action. Less than 1% of each roadless area would be treated by the proposed action. The analysis demonstrates that the impacts to the roadless areas would be minimal and that the wilderness attributes and roadless characteristics would not be impacted in the long-term (EA pp. 63-68; document 32-011). The Idaho Roadless Commission concurred that the project meets the "spirit and intent" of the Idaho Roadless Rule at the October 27, 2020 meeting. Based on the effects analysis contained in the EA (pp. 63-68) and supporting documentation in the project record (document 32-011), implementation of project design features and mitigation measures would result in no significant effects on roadless characteristics.

The Green Horse project does not impact any parklands, prime farmlands, ecologically critical areas, or wild and scenic rivers (these special areas are not present in the project area). There are no adverse effects to wetlands within the affected area due to avoidance and use of other standard design features (document 11-004). Federal executive orders (EOs) provide for the protection and management of floodplains and wetlands. The Green Horse project activities have been designed to be consistent with the requirements of EO 11988 and EO 11990 (document 11-004).

The project archeologist surveyed the areas of potential effects and determined, with concurrence from the Idaho State Historic Preservation Office, that there will be no adverse effect to any cultural resources resulting from the proposed action (document 15-001). All cultural properties will be avoided during project implementation. If unknown heritage resource sites are discovered during implementation, all work will stop in the immediate vicinity of the site. Work will not begin again until authorized by a Forest Service archaeologist (document 11-004).

The Nez Perce Forest Plan identifies the following land use allocations in the project area (where proposed actions would occur) as management areas 01, 12, 16, 17, 21). None of the major characteristics of these land use allocations will be negatively impacted by this project. The project was designed to meet Forest Plan standards (document 11-008). Additionally, PACFISH amended the Nez Perce Forest Plan by establishing riparian habitat conservation areas (RHCAs). There is no harvest proposed within RHCAs (document 11-004).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

As used in the 1978 Council on Environmental Quality's guidelines for implementing NEPA, the term "controversial" refers to whether substantial dispute exists as to the size, nature, or effects of the major federal action. The nature of potential effects of forest management activities proposed in this project is well established and not likely to be highly controversial in a scientific context. My decision falls within the scope of the analysis for the Nez Perce Forest Plan (1987), as amended.

A range of public comments both supporting and objecting to various aspects of the proposed action were received through the combined scoping and 30-day comment period. No information was presented that indicates substantial controversy about the effects of the project. Anticipated effects of the Green Horse project are based on the interdisciplinary team's professional experience and the most recent and applicable science. The interdisciplinary team used information from over 200 scientific literature sources to validate the proposed actions and inform the effects analysis. Responses to public comments from the combined scoping and 30-day comment period were documented and are included in the project record (document 07-012). The Green Horse EA contains a range of alternatives, including alternatives considered but eliminated from detailed study (EA p. 13). The project record contains considerations of literature and other information submitted by the public (document 07-001). I have reviewed literature submitted by the public during the combined scoping and 30-day comment period and found nothing that significantly contradicts the science used to develop the proposed activities and assess the impacts of the alternatives. In many cases, the literature submitted by the public supports the analysis for the Green

Horse project or does not meet the need for the proposal, and therefore is not applicable (document 07-011).

While there may be some opposition to proposed treatments, I believe the known relevant biological, social, and economic issues have been sufficiently addressed to avoid scientific controversy over the scope and intensity of effects. Based upon project analysis documentation and discussions with professional resource specialists, there is agreement by my staff and other professionals and agencies consulted about the effects and conclusions identified in the analysis. Based on the findings of the analyses and public comment, I conclude that there is no indication the effects of the proposed action on the quality of the human environment are likely to be highly controversial. I have also taken into account that opposition to these treatments has been fully considered through documentation and analysis of the no action alternative (EA pp. 4-5).

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

There are no highly uncertain, unique, or unknown risks to the human environment identified in the Green Horse project EA Proposed activities and the effects analyses discussed in the EA are based on sound scientific research and previous experience implementing similar projects under the Nez Perce Forest Plan, over the past 30 years.

The selected alternative was developed using design features and mitigation measures that were informed by the results of past actions, professional and technical insight and experience, public input, field surveys and reconnaissance, and incorporation of pertinent research (EA Table 1; document 11-004). Project design features and mitigation measures incorporated into this decision and used during layout and implementation will avoid or minimize known risks associated with the project and will be employed where unexpected situations arise that could potentially have a detrimental effect on resources. I am confident the selected alternative will have no effects that are highly uncertain or involve unique or unknown risks to the human environment.

6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

I find the actions that are part of this project will not establish a precedent for future actions with significant effects, nor do they represent a decision in principle about a future consideration. These actions only pertain to the Green Horse project area. Any future resource actions will need to be considered in a separate analysis using relevant scientific and site-specific information available at that time.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

I find the effects of the Green Horse project combined with the effects of past, present, and reasonably foreseeable actions will not have significant cumulative effects. Cumulative effects are documented and are addressed, by resource, in the EA (pp. 14, forest vegetation 18-19; fuels 21; botany 23-24; invasive species 25; wildlife 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39-40, 41, 42, 45, 46; soils 47-48; watershed 54-56; fisheries 61; economics 62; Idaho roadless areas 66-68). Analysis of the project follows the Council on Environmental Quality Guidance Memorandum on consideration of past actions in cumulative effects analysis.

My review of the EA and supporting documents finds the cumulative effects analyses have adequately considered the time and space of effects to each respective resource and all impacts will be contained

within each applicable analysis area. No significant adverse environmental impacts are likely to occur because of this decision.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The action would have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places and would not cause loss or destruction of significant scientific, cultural, or historical resources (document 15-001). In compliance with the National Historic Preservation Act, the cultural resource surveys have been completed for the Green Horse project area and were submitted to the Idaho State Historic Preservation Office (SHPO) for concurrence. Five sites were identified within the area of potential effects during field surveys that are not eligible for the National Register of Historic Places and 3 sites were identified within the area of potential effects during field surveys that are eligible for the National Register of Historic Places (document 15-001). The project would have no adverse effects on these sites. Idaho SHPO concurrence was received on December 15, 2020.

I find the action will have no significant adverse effects on cultural sites in or eligible for listing in the National Register of Historic places because all known cultural properties will be avoided during implementation (document). If unknown cultural resources sites are discovered during implementation, all work will stop in the immediate vicinity of the site. Work will not begin again until authorized by a Forest Service archaeologist (document). With the implementation of the design features for cultural resources, there is minimal risk of additional incremental degradation of the cultural properties associated with the proposed action.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The action complies with the Endangered Species Act of 1973 for aquatic, wildlife, and plant species. There are no threatened or endangered fish, wildlife, or plant species within the project area (EA p. 69-71). Listed steelhead trout occur in several streams that flow through the project area but are not known to inhabit the reaches that occur in or directly downstream of the project area. No direct or indirect sediment effects to listed fish or their habitat is expected from temporary road construction or road reconstruction work as there are none within at least 0.7 miles of these activities. RHCA retention is expected to prevent measurable sediment effects to fish or critical habitat as previously discussed (USDA 2016a). The project determination for steelhead trout, bull trout, and their critical habitat, as well as EFH, is therefore “no effect” (EA p. 69). The Green Horse project meets the intent of the guidelines in the Biological Opinion on the Land and Resource Management Plans for National Forests and Bureau of Land Management units for Steelhead and Salmon in the Upper Columbia River Basin was written in 1998.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

My decision would not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA and discussed in this decision (EA pp. 69-75). The project complies with Executive Order 12898 regarding environmental justice (EA p. 71). No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis or public scoping and comment processes. The Green Horse Project is consistent with the Forest Plan, as amended, and other law, regulations and policies as described in the in the EA (pp. 72-75) and supporting documentation located in the project record (document 11-008). The Green Horse Project is consistent with the National Forest Management Act

regulations for vegetative management as well as other all applicable state and federal laws (Decision Notice pp.12-16).

I have determined that this project is consistent with desired conditions, objectives, standards, and guidelines in the Idaho County Natural Resources Plan. The project will treat vegetation in Idaho County using a combination of timber harvest and fuels reduction, complete associated road treatments, other road improvements, and contribute to the local economy.